

12-7-01

14

10/29/01  
Jc682 U.S. PTO

Docket No. D0034np  
M&F LLP Ref: 3053-4107US2  
Express Mail No. EL 912 001 382 US

23914  
PATENT TRADEMARK OFFICE

Jc986 U.S. PTO  
10/005549  
10/29/01

↑AFFIX CUSTOMER NO. LABEL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND FEE TRANSMITTAL (37 C.F.R. §1.53(b))

Commissioner for Patents  
**Box Patent Application**  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Michael A. BOWEN  
7812 Polara Place  
Rockville, MD 20855 USA;
- (2) Yuli WU  
3 Susanna Way  
Newtown, PA 18940 USA;
- (3) Wen-Pin YANG  
25 Rutgers Lane  
Princeton, NJ 08540 USA;
- (4) Joshua FINGER  
222 Woodland Parkway, Apt. 254  
San Marcos, CA 92069 USA;
- (5) Steven NADLER  
164 Neil Court  
Princeton, NJ 08540 USA;
- (6) Pamela CARROLL  
309 Trinity Court #10  
Princeton, NJ 08540 USA; and
- (7) John FEDER  
277 Dutchtown-Zion Road  
Belle Mead, NJ 08540 USA

☐ Additional inventors are listed on a separate sheet

For: **POLYNUCLEOTIDE ENCODING AN ACTIVATED HUMAN T-LYMPHOCYTE-DERIVED PROTEIN RELATED TO UBIQUITIN CONJUGATING ENZYME**

Enclosed Are:

139 total pages of Application, including:

134 page(s) of Specification

4 page(s) of Claims

1 page(s) of Abstract

9 sheets of ☒ Formal Drawings (FIGS. 1A/1B-6); ☐ Informal Drawings

       page(s) of Declaration and Power of Attorney

☐ Unsigned

☐ Newly Executed

☐ Copy from prior application

☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☐ Incorporation by Reference:

☐ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no.       , filed       .

☐ Microfiche Computer Program (Appendix)

☒ 22 pages of Sequence Listing

☒ Computer readable disk containing Sequence Listing

☒ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same, 2 pages

- ☐ Assignment Papers (assignment recordation cover sheet and assignment document; \_\_\_\_\_ total pages)
- ☐ A check in the amount of \$40.00 for recording the Assignment
- ☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_.
- ☐ Assignment Papers filed in the parent application Serial No. \_\_\_\_\_.
- ☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)
- ☐ Priority is claimed under 35 U.S.C. §119 for:  
Application No(s). \_\_\_\_\_, filed \_\_\_\_\_, in \_\_\_\_\_ (country).
- ☐ Certified Copy of Priority Document(s) [\_\_\_\_\_]
  - ☐ filed herewith
  - ☐ filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ English translation document(s) [\_\_\_\_\_]
  - ☐ filed herewith
  - ☐ filed in application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- ☒ Priority is claimed under 35 U.S.C. §119(e) for:  
Provisional Application U.S. Serial No. 60/308,706, filed July 30, 2001 and  
Provisional Application U.S. Serial No. 60/244,688, filed October 30, 2000.
- ☐ Information Disclosure Statement
  - ☐ Copy of [\_\_\_\_\_] cited references
  - ☐ PTO Form-1449
  - ☐ References cited in parent application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
  - ☐ A copy of related pending U.S. Application(s) Serial No(s): \_\_\_\_\_, filed \_\_\_\_\_, respectively, is attached hereto.
  - ☐ A copy of related pending U.S. Application(s) entitled, \_\_\_\_\_, filed \_\_\_\_\_ to inventor(s) \_\_\_\_\_, respectively, is attached hereto.
  - ☐ A copy of each related application(s) was submitted in parent application serial no. \_\_\_\_\_, filed \_\_\_\_\_.
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. \_\_\_\_\_, filed \_\_\_\_\_, to which priority under 35 U.S.C. §120 is claimed.
- ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

- ☐ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application
- ☐ Amend the specification by inserting before the first line the sentence:  
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. \_\_\_\_, filed \_\_\_\_.

## I. CALCULATION OF APPLICATION FEE

	Number Filed	Number Extra	Rate	Basic Fee \$740.00/370.00
Total Claims	18 – 20 =	0 x	\$18.00/ \$9.00	\$ 0.00
Independent Claims	4 - 3=	1 x	\$84.00/ \$42.00	\$ 84.00
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$ 0.00
TOTAL:				\$ <u>824.00</u>

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$ \_\_\_\_.
- ☒ A check in the amount of \$ 824.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3053-4107US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: October 29, 2001

By:

Leslie A. Serunian

Leslie A. Serunian

Registration No. 35,353

Correspondence Address:

BRISTOL-MYERS SQUIBB COMPANY

P.O. Box 4000

Route 206 and Provinceline Road

Princeton, NJ 08543

(609) 252-4000 Telephone

(609) 252-4526 Facsimile

Mailing Address:

MORGAN & FINNEGAN, L.L.P.

345 Park Avenue

New York, NY 10154-0053

(212) 758-4800 Telephone

(212) 751-6849 Facsimile

- ☐ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application
- ☐ Amend the specification by inserting before the first line the sentence:  
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

## I. CALCULATION OF APPLICATION FEE

	Number Filed	Number Extra	Rate	Basic Fee \$740.00/370.00
Total Claims	18 – 20 =	0 x	\$18.00/ \$9.00	\$ 0.00
Independent Claims	4 - 3=	1 x	\$84.00/ \$42.00	\$ 84.00
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$ 0.00
TOTAL:				\$ <u>824.00</u>

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$\_\_\_\_\_.
- ☒ A check in the amount of \$ 824.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3053-4107US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

M.A. BOWEN, Y. WU, W-P. YANG, J. FINGER, S. NADLER, P. CARROLL, J.

Applicant(s): FEDER

Group Art Unit: To Be Assigned

Serial No.: To Be Assigned

Examiner: To Be Assigned

Filed: Herewith (October 29, 2001)

For: Polynucleotide Encoding An Activated Human T-Lymphocyte-Derived Protein  
Related To Ubiquitin Conjugating EnzymeEXPRESS MAIL CERTIFICATEExpress Mail Label No.: EL 912 001 382 USDate of Deposit: October 29, 2001

I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Fee Transmittal (37 CFR 1.53(b)), (5 pages);
2. Utility Patent Application containing: 139 total pages of application, including 134 pages of Specification, 4 pages of Claims, 1 page of Abstract, 9 sheets Formal Drawings (FIGS. 1A/1B-6);
3. Sequence Listing (22 pages);
4. Statement Accompanying Sequence Listing under 37 CFR 1.821-1.825 (2 pages);
5. 3.5 inch disk containing Computer-Readable form of Sequence Listing;
6. Application Fee (check for \$824.00);
7. Return Postcard

are/is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Jesus R. Remedios

(Typed or printed name of person mailing papers(s) and/or fee)

  
(Signature of person mailing paper(s) and/or fee)Mailing Address:

MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, NY 10154-0053  
(212) 758-4800 Telephone  
(212) 751-6849 Facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: D0034np

In re patent application of

BOWEN, MICHAEL A. et al.

Serial No. Unassigned

Filed: Concurrently Herewith

For: POLYNUCLEOTIDE ENCODING AN ACTIVATED HUMAN T-LYMPHOCYTE-DERIVED  
PROTEIN RELATED TO UBIQUITIN CONJUGATING ENZYME

STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently  
herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37  
C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the  
attached computer readable copy of the Sequence Listing, submitted in  
accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same;  
and

3. all statements made herein of their own knowledge are  
true and that all statements made on information and belief are believed to  
be true; and further, that these statements were made with the knowledge  
that willful false statements and the like so made are punishable by fine  
or imprisonment, or both, under Section 1001 of Title 18 of the United

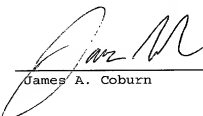


Serial No. Unassigned

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

Oct. 24, 2001  
Date

  
James A. Coburn

**HARBOR CONSULTING**  
Intellectual Property Services  
1500A Lafayette Road  
Suite 262  
Portsmouth, N.H.  
800-318-3021